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**The Arc of
Colorado**

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Breaking Barriers: Ensuring Effective Communication for Individuals with Disabilities in the Legislative Process

Language Access Advisory Board
Thursday, September 19, 2024
9:00 a.m. to 12:00 p.m.
Senate Committee Room 357
State Capitol Building

The Arc of
Colorado
mission:

The Arc of Colorado promotes and protects the human rights of people with intellectual and developmental disabilities and actively supports their full inclusion and participation in the community throughout their lifetimes.

Find your local chapter of The Arc

Chapters of The Arc in Colorado provide individual advocacy services for children and adults with intellectual and developmental disabilities (IDD) who live in their service areas. Chapters also provide information and referral services, public policy support, community service and more. Each Chapter of The Arc has different parameters around intake and advocacy.

The Arc of Colorado
1500 Logan Street, Suite 730
Denver, CO 80205
(303) 864-9354
thearcofco.org

AdvocacyDenver
950 S. Cherry Street, #TDO
Denver, CO 80246
(303) 857-7733
advocacydenver.org

The Arc of Adams County
641 East 12th Avenue
Northglenn, CO 80235
(303) 428-0330
acadams.org

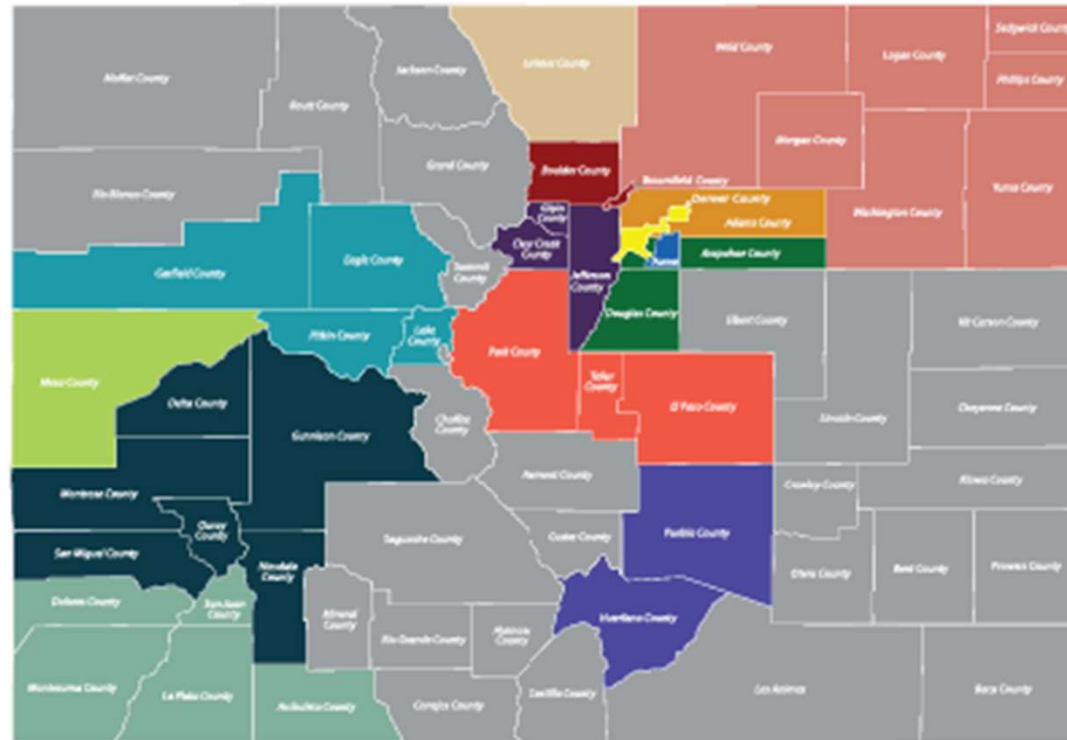
The Arc Arapahoe & Douglas Counties
6538 South Racine Circle
Centennial, CO 80111
(303) 220-9228
arc-ad.org

The Arc of Aurora
1542 South Chambers Road
Aurora, CO 80017
(720) 215-1420
thearcofaurora.org

The Arc of the Central Mountains
817 Colorado Ave., Suite 304
Glenwood Springs, CO 81601
(970) 456-2065
arccentralmountains.org

The Arc Jefferson, Clear Creek & Gilpin Counties
13949 W. Colfax Ave., Suite 102
Denver West Building 1
Lakewood, CO 80401
(303) 252-1358
arcjc.org

The Arc of Larimer County
1721 W. Harmony Road, Suite 101
Fort Collins, CO 80526
(970) 204-6991
thearcoflarimercounty.org



The Arc of Mesa County
845 Grand Avenue Grand
Junction, CO 81501
(970) 245-5775
thearcofmesa.org

The Arc of the Pikes Peak Region
30 North Meade Avenue
Colorado Springs, CO 80909
(719) 471-4800
thearcofppr.org

The Arc of Pueblo
2705 Vinewood Lane
Pueblo CO 81005
(719) 545-5845
arcofpueblo.org

The Arc of Southwest Colorado
295 Girard Street, Suite C
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(970) 422-2271
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The Arc of Weld County
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Greeley, CO 80634
(970) 353-5279
arcweldcounty.org

The Arc of West Central Colorado
PO Box 585
Delta, CO 81416
(970) 200-7365
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ACL in Boulder & Broomfield Counties
624 Coffman Street
Longmont, CO 80501
(303) 527-0388
aclbofder.org

The Colorado Arc Network | We CAN Make a Difference



The ArcCO Team



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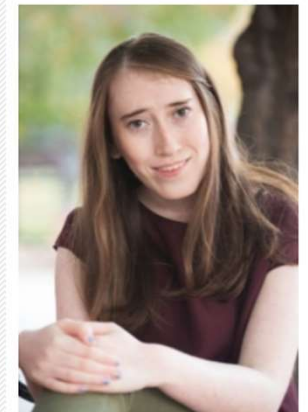
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Advisory Board Charge

...to make recommendations on improving meaningful access to the legislative process for populations with **limited English proficiency** to ensure **effective communication** and **equitable participation**.

Serving Persons with Limited English Proficiency (LEP)



Individuals who do not speak English as their primary language and/or who have a limited ability to read, speak, write, or understand English are considered limited English proficient, or LEP.

U.S. Department of Health & Human Services,
<https://aspr.hhs.gov/at-risk/Pages/LEP.aspx>

LEP Definitions and Terms



Limited English Proficiency (LEP): Describes individuals who:

- a. do not speak English as their primary language; and
- b. have a limited ability to read, write, speak, or understand English.

Individuals with LEP may be competent in English for certain types of communication (e.g., speaking or understanding), but have limited proficiency in English in other areas (e.g., reading or writing).

<https://www.usccr.gov/limited-english-proficiency-plan>

Meaningful Access



Language of any kind should never be a barrier to accessing and equitably participating in any part of legislative process and activities.

The ability to effectively communicate is critical to meaningful engagement in all aspects of legislative process and activities.

Disabilities that may impact effective communication...

- Mobility
- Sensory
- Cognitive due to injury
- Cognitive due to age
- Intellectual & Developmental
- Mental Health

An individual may...



take longer
to absorb
information



have difficulty
understanding
questions,
abstract
concepts or
instructions



have
difficulty
with
reading
and writing
and money
skills



have a
short
attention
span and
might be
easily
distracted



find it
difficult to
maintain
eye contact



find it
difficult to
adapt to
new
situations
or to plan
ahead or
solve
problems



find
communica
tion over
the phone
difficult



have
difficulty
expressing
their needs

Disabilities impacting effective communication can vary due to:

- Stress, grief, depression, and traumatic events
- Temporary medical conditions and medications
- Time of day
- Recent institutionalization
- Not having access to needed accommodations, including, but not limited to, a communication support person or assistive technology

People who are **denied effective communication** face segregation, abuse and neglect, dehumanization, low expectations, and

It is commonly presumed that people who have communication access needs, require a substitute decision-maker or someone to speak *for* them when often **they may simply need appropriate supports and accommodations.**

See Us. Hear Us. - Jordyn Zimmerman

by Communication First: Because Communication is a Human Right.

https://youtu.be/_qkndIGznCw?si=GZlgn2bfH8svdUvT (6:26 min)

Why is providing effective communication important?

ONGOING ACCESS REALITIES


- Some legislative areas remain physically inaccessible/lack universal design.
- Some legislative technology platforms are inaccessible/access is unclear.
- Legislative proceedings can be inaccessible to people with cognitive disabilities.
- People with disabilities are often denied their right to effective communication.
- Legislative activities can lack clear policies about how to request and receive an accommodation or to file a complaint if they are denied an accommodation.
- Coloradans with disabilities face bias and stereotypes about their credibility and capacity.

Information & Communication Barriers

- People with disabilities often experience challenges accessing critical information they need to reach their legislators and legislative staff.
- People with disabilities are less likely to have access to computers and internet than people without disabilities.
- People with disabilities are less likely to have access to reliable, accessible transportation than people without disabilities.
- People with disabilities more often lack access to representation and disproportionately must represent themselves.
- People with disabilities are often reliant on service and support staff schedules to participate in meaningful ways.

Accommodations


- Qualified interpreters (including ASL and certified Deaf interpreters)
- Notetakers
- Screen readers
- Computer-aided real-time transcription (CART)
- Augmentative and alternative communication devices
- Communication boards
- Closed caption decoders
- Video interpreting services
- Video/text displays
- Visual descriptions
- Physical changes to the courtroom space
- Proceedings at certain times of day
- Extra time or breaks or delays
- Description of visually presented materials
- Qualified readers
- Assistance filling out forms
- Audio recordings
- Plain language or easy read materials
- Braille materials
- Large print materials
- Materials in electronic format
- Supported decision-making



Practice Tips & Strategies 1 of 2

- **Focus on the person, not on the disability.**
- Extend the person the same **dignity, consideration & respect** you would expect for yourself.
- Always assume (because it is nearly always true) **that every person has a way of communicating.**
- A diagnosis, IQ, manner of communication, assistive technology or aid, or level of support **does not** determine whether a person has the ability to engage in legislative process in meaningful ways.

- **Ask what accommodations a person may need at the onset**—this can create a more welcoming environment.
 - To the extent feasible, provide those accommodations
- **Recognize that the presence of accommodations may disrupt** how you typically run your activity (hearing, sessions, meeting, etc.)
 - For example, they may require slowing down the pace of the proceeding
- To the extent possible, try to draft documents in **plain language**
- Work with a designated ADA coordinator

A large orange circle graphic on the right side of the slide, containing white text.

**Practice
Tips &
Strategies
2 of 2**

Strategies for Supporting Communication Access Needs

- Provide effective communication services and support information for Coloradans who are signing up for testimony.
- In sessions and on documents:
 - Use plain language, concrete terms and ideas.
 - Avoid compound questions
 - Avoid frustrating questions about time, complex sequences, or reasons for behavior.
 - Highlight important information to improve memory retention.
 - Repeat information to improve retention.
 - Be careful not to provide nonverbal cues that may aid and/or improperly influence a person's response (resist the need to fill in the blanks)
 - Take short breaks, as individuals learn best with multiple, short sessions rather than a few, long sessions.

A few more practice tips...

Words to avoid:

- Non-verbal
- Severe or profound
- Disorders, impairments, and deficits
- Complex communication needs
- Non-communicative

Words to use:

- Use person-first language unless a person with a disability specifically asks you not to.
- Describe the supports and accommodations a person needs
- Refer to conditions and disabilities

LANGUAGE

SPEECH

noun

1. the principal method of human communication, consisting of words used in a structured and conventional way and **conveyed by speech, writing, or gesture.**

noun

1. the expression of or the ability to express thoughts and feelings by articulate sounds.

Instead of using limited English proficiency (LEP), consider a shift in terminology to refer to individuals as using a **“language other than English”** (LOE) or “non-English language preference” (NELP).

Language Matters:

Why We Should Reconsider the Term “Limited English Proficiency”

5 THINGS

the Colorado Legislature could do RIGHT NOW

1. Provide effective communication and ADA services, supports, and accommodations trainings for ALL legislators, legislative & statehouse staff.
2. Provide a link of the Colorado legislature's dedicated ADA/Accessibility support staff and webpage throughout the online contact(s) pages.
3. Updated remote and pre-recorded testimony and communication alternatives to reflect best practices for effective communication and access to legislative activities, programs, and services.
4. Written policy on procedure and protocols for Coloradans who identify as an individual who uses language other than English in plain English.
5. Improved signage and directions using a Universal Design model with designated and easily identifiable statehouse "hosts" throughout the building.





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The Arc.
*For people with intellectual
and developmental disabilities*

**Breaking Barriers:
Ensuring Effective
Communication
for
Individuals with
Disabilities
in the
Legislative Process**

**THANK YOU!
QUESTIONS?**